## 1 UNITED STATES DISTRICT COURT 2 DISTRICT OF NEVADA 3 \* \* \* 4 ADDISON FRANKLIN ORR, Case No. 2:20-CV-00421-RFB-EJY 5 Plaintiff, **ORDER** 6 v. 7 F. TORRES, Douglas County Sheriff's Department 8 Defendants. 9 I. 10 DISCUSSION 11 Plaintiff, who is an inmate in the custody of the Nevada Southern Desert Correctional Center, 12 submitted a civil rights complaint pursuant to 42 U.S.C. § 1983, and filed an application to proceed 13 *in forma pauperis*. ECF Nos. 1, 1-1. 14 Plaintiff's application to proceed in forma pauperis is incomplete. Pursuant to 28 U.S.C. § 15 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed in forma 16 pauperis on this Court's approved form and attach both an inmate account statement for the past six 17 months and a properly executed financial certificate. Here, Plaintiff used the district court's form 18 application, which does not include the required acknowledgment form or financial certificate for 19 inmates. See ECF No. 1. As such, Plaintiff's in forma pauperis application is denied without 20 prejudice. 21 The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1) but will not file it until 22 the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to 23 cure the deficiencies of his application to proceed in forma pauperis, or in the alternative, pay the 24 full filing fee for this action. If Plaintiff chooses to file a new application to proceed in forma 25 pauperis, then Plaintiff must file a fully complete application to proceed in forma pauperis, including

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an inmate account statement for the past six months and a properly executed certificate.

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## II. CONCLUSION

For the foregoing reasons, IT IS HEREBY ORDERED that Plaintiff's application to proceed *in forma pauperis* (ECF No. 1) is DENIED without prejudice to file a new application.

IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that within thirty (30) days from the date of this Order, Plaintiff must either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct form with complete financial attachments in compliance, including both an inmate account statement for the past six months and a properly executed financial certificate, in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50 administrative fee).

IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this Order, dismissal of this action may result.

IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint (ECF No. 1-1), but will not file it at this time.

DATED: March 5, 2020

ELAYNAJ. YOUCHAH

UNITED STATES MAGISTRATE JUDGE